

**NOTICE OF APPEAL  
FROM THE EXAMINER TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES**

Docket Number (Optional)  
P28768 (10808-158)

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 C.F.R. §1.8 on the below date:

Date November 5, 2009

Signature /John R. Lagowski/

Typed or printed Name John R. Lagowski

In re Application of

Barth et al.

Application No.  
10/518,880

Filed  
August 8, 2005

For Layer Assembly and Method for Producing a Layer Assembly

Art Unit  
2818

Confirmation No.  
5306

Examiner  
David J. Goodwin

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$540.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23-1925.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the:

☐ Applicant/Inventor.

/John R. Lagowski/

Signature

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

John R. Lagowski

Typed or Printed Name

☒ Attorney or agent of record.  
Registration No. 41,922.

☐ Attorney or agent acting under 37 CFR 1.34.  
Registration No. if acting under 37 CFR 1.34. \_\_\_\_\_

November 5, 2009

Date

**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.